

Response After Final  
Application No. 09/994,686  
Attorney Docket No. 042207

### **REMARKS**

Claims 1-12 are pending in the application. No new matter has been added. In light of the accompanying remarks applicant earnestly solicits favorable reconsideration.

### **On the Merits**

Claims 1-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Shintani* (US Patent 6,721,018) in view of *Shoda* (JP 411032267A) and *Terasima* (US Patent 5,905,864). The Examiner has maintained the same rejection as previously issued in the July 7, 2006 Office Action, except for the newly claimed feature of independent claim 1.

### **Independent Claim 1:**

Regarding the newly added feature of claim 1 which requires, “a frequency to be received by each tuner being changed independently by each CPU,” the Examiner acknowledges that this feature is not disclosed in *Shoda* or *Shintani*, but instead contends it is disclosed in *Terasima*. Emphasis added.

The Examiner contends that the two CPU's disclosed in *Terasima* in figure 1, CPU 10 and CPU 14, disclose the above mentioned feature. CPU 10 controls a CD-ROM drive unit, while CPU 14 “controls the video signals set for controlling an image processing unit....” The Examiner asserts that it would have been obvious for a person having ordinary skill in the art to combine *Shintani*, *Shoda* and *Terasima* in order to allow high speed processing.

References Do Not Disclose What is Required:

The Examiner contends that the “CPUs operate independently and read data from different sources (tuners). This allows separate operation, and no interruption in the processing of data due to a busy CPU, and the data of CD-ROM can be both read and image processed smoothly -column 4, line 66 to column 5, line 62.”

The Examiner’s characterization of *Terasima* may be proper regarding what the CPUs are doing. However even if the Examiner’s characterization of *Terasima* is proper, it still does not disclose what is required by independent claim 1, namely “a frequency to be received by each tuner being changed independently by each CPU.” Emphasis added. The two CPUs as disclosed in *Terasima* do not disclose changing a frequency of each tuner independently as required by claim 1. As the Examiner has stated, one of the CPUs is in charge of a CD-ROM while the other CPU is in charge of video signals.

The Examiner may be contending that reading data from different sources is the same or analogous to reading data from a tuner. However, claim 1 requires that each CPU independently change the frequency to be received by each tuner, not just receiving or reading data from a tuner. Thus, the *Terasima* reference does not suggest or disclose the required features of claim 1.

As *Terasima* does not disclose or fairly suggest the above mentioned requirement of claim 1, Applicants respectfully submit that the rejection is improper. Applicants respectfully submit that the claims as formerly presented, are in condition for allowance.

Improper Combination of References:

Additionally, obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so.<sup>1</sup> The teaching, suggestion, or motivation must be found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art.<sup>2</sup> In the present case, Applicants respectfully submit that there is not a suggestion to combine the references that has been found in the references themselves or would be in the general knowledge of a person having ordinary skill in the art.

*Terasima* appears directed toward switching between storage devices.<sup>3</sup> The claimed invention on the other hand is directed toward a digital and analog broadcasting receiver wherein “a frequency to be received by each tuner being changed independently by each CPU.” Thus, it is unclear where a suggestion to combine the *Shoda* and *Shintani* references with *Terasima* came from as switching storage devices is very different from receiving and changing the frequency to be received by a tuner.

In view of the aforementioned remarks, Applicants submit that that the claims formerly presented, are in condition for allowance. Applicants request such action at an early date.

---

<sup>1</sup> *In re Kahn*, 441 F.3d 977, 986, 78 USPQ2d 1329, 1335 (Fed. Cir. 2006).

<sup>2</sup> MPEP 2143.01.

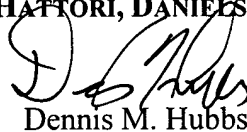
<sup>3</sup> See the title of the invention and abstract.

Response After Final  
Application No. 09/994,686  
Attorney Docket No. 042207

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned agent to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,  
**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**



Dennis M. Hubbs  
Agent for Applicants  
Registration No. 59,145  
Telephone: (202) 822-1100  
Facsimile: (202) 822-1111

TEB/DMH/tw